

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

RYAN BRESLOW, ALEX FINE, and JON  
GORDON,

Plaintiffs,

v.

MARK PHILLIPS and BENJAMIN REED,

Defendants.

Action No.: 23-cv-20727-ALTMAN/Reid

Honorable Roy K. Altman

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MOVEMENTDAO and MARK PHILLIPS,

Counterclaim-Plaintiffs

v.

RYAN BRESLOW, ALEX FINE, and JON  
GORDON,

Counterclaim-Defendants

**UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO COUNTERCLAIM**

In accordance with Local Rule 7.1, Plaintiffs and Counterclaim-Defendants Ryan Breslow, Alex Fine, and Jon Gordon (collectively, “Counterclaim-Defendants”) respectfully request that the Court extend the deadline in which Counterclaim-Defendants have to file a response to the Counterclaim filed by MovementDAO and Defendant Mark Phillips (“Counter-Claim Plaintiffs”), ECF No. 73-1. In support thereof, the Counterclaim-Defendants state as follows.

1. On April 21, 2023, Defendants and Counter-Claim Plaintiffs filed their Answer to Verified Complaint; Counterclaim; and Demand for Jury Trial, ECF No. 73.

2. On April 27, 2023, the Court held a hearing on Plaintiffs’ request for a preliminary injunction. That hearing was resumed on May 25 and concluded on May 30, 2023.

3. In light of the preliminary injunction hearing, and the parties' dedicated efforts towards the same, the parties had originally agreed that Counterclaim-Defendants must serve answers or otherwise respond to Counterclaim-Plaintiffs' Counterclaim within twenty-one (21) days following the parties' closing arguments at the preliminary injunction hearing, or, if there are no closing arguments, following the conclusion of testimony.

4. Following the conclusion of the preliminary injunction hearing on May 30, the parties agreed to allow Counterclaim-Defendants an additional ten (10) days to respond to Counterclaim-Plaintiffs' Counterclaim due to Counterclaim-Defendants' counsel contracting an illness.

5. Accordingly, the Counterclaim-Defendants respectfully request that the Court enter an Order setting a deadline of June 30, 2023 for Counterclaim-Defendants to file a response to the Counterclaim.

6. This request for extension is reasonable under the circumstances, is not sought for purposes of delay, and will not prejudice any party.

7. The Counter-Claim Plaintiffs do not oppose the relief sought by this motion.

WHEREFORE, the Counterclaim-Defendants respectfully request the Court enter an Order setting a deadline of June 30, 2023 for Counterclaim-Defendants to file a response to the Counterclaim.

**COMPLIANCE WITH LOCAL RULE 7.1(a)(3)**

On June 7, 2023, counsel for Counterclaim-Defendants conferred with Counterclaim-Plaintiffs' counsel. Counterclaim-Plaintiffs do not oppose the relief and extension sought by this motion.

Dated: June 7, 2023

/s/ Jamie L. Katz

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of June 2023, the foregoing was electronically filed with the Clerk of the Court by using CM/ECF system, which will send a notice of electronic filing to authorized CM/ECF files.

*/s/Jamie Katz*

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Attorney